THE BOMBAY (EMERGENCY POWERS) WHIPPING ACT, 1947.

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BOMBAY ACT No. XXVII OF 1947.[1]

[THE BOMBAY (EMERGENCY POWERS) WHIPPING ACT, 1947.]

[*26th May 1947.*]

An Act to re-enact the Bombay (Emergency Powers) Whipping Act, 1941, and to amend further the law relating to the punishment of whipping in the Province of Bombay.

26 Geo. 5, Ch. 2. Bom. XI of 1941.

WHEREAS in view of the provisions of sub-section (*4*) of section 93 of the Government of India Act, 1935, it is expedient to re-enact the provisions of the Bombay (Emergency Powers) Whipping Act, 1941;

AND WHEREAS it is expedient to amend further the law relating to the punishment of whipping in the Province of Bombay; It is hereby enacted as follows:—

Short title, extent and commencement.

1. (*1*) This Act may be called the Bombay (Emergency Powers) Whipping Act, 1947.

(*2*) It extends to the whole of the Province of Bombay.

(*3*) This section and section 4 shall come into force at once. The Provincial Government may, by notification in the *Official Gazette*, direct that section 2 or section 3 shall come into force in such area and from such date as may be specified in such notification.

Punishment of whipping for certain offences.

IV of 1909. XLV of 1860.

2. In addition to the persons who may be punished with whipping under section 4 of the Whipping Act, 1909, whoever commits or abets the commission of any offence punishable under sections 147, 148, 324, 325, 326, 435 or 436 of the Indian Penal Code may be punished with whipping in addition to any punishment to which he may be liable for such offence or for abetment of such offence under the said Code.

Punishment for certain offences punishable under Bom. IV of 1902 and Bom. IV of 1890.

Bom. IV of 1902.

3. (*1*) Whoever—

(*a*) commits an offence punishable under clause (*a*) of section 112 of the City of Bombay Police Act, 1902 (hereinafter called the said Act) or

(*b*) is punishable under clause (*b*) or clause (*c*) of section 122 of the said Act—

(*i*) for behaving in a riotous manner, or

(*ii*) for using any threatening words or gestures whereby a breach of the peace or public nuisance may be occasioned,

may be punished with whipping in lieu of any punishment to which he may be liable for such offence under the said Act.

Bom. IV of 1890.

(*2*) Whoever commits an offence punishable under clause (*a*) of section 61D of the Bombay District Police Act 1890, may be punished with whipping in lieu of any punishment to which he may be liable for such offence under the said Act.

Repeal of Bom. XI of 1941.

Bom. XI of 1941.

4. The Bombay (Emergency Powers) Whipping Act, 1941, is hereby repealed.

[1] For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1947, Pt. V, page 99; for Proceedings in Assembly, *see* Bombay Legislative Assembly Debates, 1947, Vol. X; and for Proceedings in Council, *see* Bombay Legislative Council Debates, 1947, Vol. XII.